

(ii) Software that stores data of United States consumers in a covered country.

(B) PERSONS DESCRIBED.—A person described in this subparagraph is—

(i) a person (other than an individual)—

(I) that is organized under the laws of a covered country;

(II) the principal operations of which are conducted in a covered country; or

(III) that is headquartered in a covered country; or

(ii) a person (other than an individual) that is, directly or indirectly, controlled by a person described in clause (i).

(5) MOBILE APPLICATION.—The term “mobile application” means a software program that runs on the operating system of a smartphone, tablet computer, or similar mobile electronic device.

(6) SOFTWARE.—The term “software” means any computer software program, including a mobile application.

(7) SOFTWARE MARKETPLACE OPERATOR.—The term “software marketplace operator” means a person who, for a commercial purpose, operates an online store or marketplace through which software is made available for download by consumers in the United States.

**SA 4363.** Mr. RUBIO submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title X, insert the following:

**SEC. \_\_\_\_ . REIMBURSEMENT OF INTEREST PAYMENTS RELATED TO PUBLIC ASSISTANCE.**

Title IV of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170 et seq.) is amended by adding at the end the following:

**“SEC. 431. REIMBURSEMENT OF INTEREST PAYMENTS RELATED TO PUBLIC ASSISTANCE.**

“(a) IN GENERAL.—The President may provide financial assistance to a local government as reimbursement for qualifying interest.

“(b) DEFINITIONS.—In this section, the following definitions apply:

“(1) PRIME RATE.—The term ‘prime rate’ means the average predominant prime rate quoted by commercial banks to large businesses, as determined by the Board of Governors of the Federal Reserve System.

“(2) QUALIFYING INTEREST.—The term ‘qualifying interest’ means, with respect to a qualifying loan, the lesser of—

“(A) the actual interest paid to a lender for such qualifying loan; and

“(B) the interest that would have been paid to a lender if such qualifying loan had an interest rate equal to the prime rate most recently published on the Federal Reserve Statistical Release on selected interest rates.

“(3) QUALIFYING LOAN.—The term ‘qualifying loan’ means a loan—

“(A) obtained by a local government; and

“(B) of which not less than 90 percent of the proceeds are used to fund activities for which such local government receives assistance under this Act after the date on which such loan is disbursed.”.

**SA 4364.** Mr. RUBIO (for himself and Mr. WARNER) submitted an amendment

intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. \_\_\_\_ . AIR AMERICA.**

(a) SHORT TITLE.—This section may be cited as the “Air America Act of 2021”.

(b) FINDINGS.—Congress finds the following:

(1) Air America, Incorporated (referred to in this section as “Air America”) and its related cover corporate entities were wholly owned and controlled by the United States Government and directed and managed by the Department of Defense, the Department of State, and the Central Intelligence Agency from 1950 to 1976.

(2) Air America, a corporation owned by the Government of the United States, constituted a “Government corporation”, as defined in section 103 of title 5, United States Code.

(3) It is established that the employees of Air America and the other entities described in paragraph (1) were Federal employees.

(4) The employees of Air America were retroactively excluded from the definition of the term “employee” under section 2105 of title 5, United States Code, on the basis of an administrative policy change in paperwork requirements implemented by the Office of Personnel Management 10 years after the service of the employees had ended and, by extension, were retroactively excluded from the definition of the term “employee” under section 8331 of title 5, United States Code, for retirement credit purposes.

(5) The employees of Air America were paid as Federal employees, with salaries subject to—

(A) the General Schedule under subchapter III of chapter 53 of title 5, United States Code; and

(B) the rates of basic pay payable to members of the Armed Forces.

(6) The service and sacrifice of the employees of Air America included—

(A) suffering a high rate of casualties in the course of employment;

(B) saving thousands of lives in search and rescue missions for downed United States airmen and allied refugee evacuations; and

(C) lengthy periods of service in challenging circumstances abroad.

(c) DEFINITIONS.—In this section—

(1) the term “affiliated company”, with respect to Air America, includes Air Asia Company Limited, CAT Incorporated, Civil Air Transport Company Limited, and the Pacific Division of Southern Air Transport; and

(2) the term “qualifying service” means service that—

(A) was performed by a United States citizen as an employee of Air America or an affiliated company during the period beginning on January 1, 1950, and ending on December 31, 1976; and

(B) is documented in the attorney-certified corporate records of Air America or any affiliated company.

(d) TREATMENT AS FEDERAL EMPLOYMENT.—Any period of qualifying service—

(1) is deemed to have been service of an employee (as defined in section 2105 of title 5, United States Code) with the Federal Government; and

(2) shall be treated as creditable service by an employee for purposes of subchapter III of chapter 83 of title 5, United States Code.

(e) RIGHTS.—An individual who performed qualifying service, or a survivor of such an individual, shall be entitled to the rights, retroactive as applicable, provided to employees and their survivors for creditable service under the Civil Service Retirement System under subchapter III of chapter 83 of title 5, United States Code, with respect to that qualifying service.

(f) DEDUCTION, CONTRIBUTION, AND DEPOSIT REQUIREMENTS.—The deposit of funds in the Treasury of the United States made by Air America in the form of a lump-sum payment apportioned in part to the Civil Service Disability & Retirement Fund in 1976 is deemed to satisfy the deduction, contribution, and deposit requirements under section 8334 of title 5, United States Code, with respect to all periods of qualifying service.

(g) APPLICATION TIME LIMIT.—Section 8345(i)(2) of title 5, United States Code, shall be applied with respect to the death of an individual who performed qualifying service by substituting “2 years after the effective date under subsection (h) of the Air America Act of 2021” for “30 years after the death or other event which gives rise to title to the benefit”.

(h) EFFECTIVE DATE.—This section shall take effect on the date that is 30 days after the date of enactment of this Act.

**SA 4365.** Mr. RUBIO (for himself and Mr. MERKLEY) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title XII, add the following:

**Subtitle H—Taiwan Relations Reinforcement Act of 2021**

**SEC. 1291. SHORT TITLE.**

This subtitle may be cited as the “Taiwan Relations Reinforcement Act of 2021”.

**SEC. 1292. A TWENTY-FIRST CENTURY PARTNERSHIP WITH TAIWAN.**

(a) STATEMENT OF POLICY.—It is the policy of the United States to create and execute a plan for enhancing its relationship with Taiwan by forming a robust partnership that meets the challenges of the 21st century, fully accounts for Taiwan’s democratization, and remains faithful to United States principles and values in keeping with the Taiwan Relations Act and the Six Assurances.

(b) INTERAGENCY TAIWAN POLICY TASK FORCE.—Not later than 90 days after the date of the enactment of this Act, the President shall create an interagency Taiwan policy task force consisting of senior officials from the Office of the President, the National Security Council, the Department of State, the Department of Defense, the Department of the Treasury, the Department of Commerce, and the Office of the United States Trade Representative.

(c) REPORT.—The interagency Taiwan Policy Task Force established under subsection (b) shall submit an annual unclassified report with a classified annex to the appropriate congressional committees outlining policy and actions to be taken to create and execute a plan for enhancing our partnership and relations with Taiwan.